

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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:
TRUSTEES OF THE DISTRICT COUNCIL NO. 9 :
PAINTING INDUSTRY INSURANCE FUND, *et al.*, :

Petitioners, :

v. :

RASHEL CONSTRUCTION CORP., :

Respondent. :
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22 Civ. 10721 (JPC)

ORDER

JOHN P. CRONAN, District Judge:

On December 20, 2022, Petitioners filed a petition to confirm an arbitration award. Dkt.

1. Respondent was served with the Summons and Petition on December 22, 2022. Dkt. 7. To date, Respondent has not appeared in this action or filed an opposition to that petition.

It is hereby ORDERED that Respondent shall file any opposition to the petition by February 15, 2023. If Respondent fails to do so, the petition to confirm will be treated as an unopposed motion for summary judgment. *See D.H. Blair & Co. v. Gottdiener*, 462 F.3d 95, 109-10 (2d Cir. 2006). Petitioners' reply, if any, shall be filed by March 1, 2023.

Petitioners shall serve this Order upon Respondent electronically and by overnight mail by January 27, 2023, and shall file an affidavit of such service with the Court no later than February 1, 2023.

SO ORDERED.

Dated: January 26, 2023
New York, New York



JOHN P. CRONAN
United States District Judge